

**CITY OF MILPITAS
UNAPPROVED**

PLANNING COMMISSION MINUTES

June 11, 2003

**I.
PLEDGE OF
ALLEGIANCE**

Chair Hay called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

**II.
ROLL CALL**

Present: Hay, Lalwani, Galang, Giordano, Sandhu and Williams
Absent: Nitafan
Staff: Heyden and Rodriguez

**III.
PUBLIC FORUM**

Chair Hay invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

There were no speakers from the audience.

**IV.
APPROVAL OF MINUTES
May 28, 2003**

Chair Hay called for approval of the minutes of the Planning Commission meeting of May 28, 2003.

Chair Hay noted that the meeting was adjourned at 7:14 p.m.

Motion to approve the May 28, 2003 minutes with the noted correction.

M/S: Lalwani/Giordano

AYES: 6

NOES: 0

**V.
ANNOUNCEMENTS**

Tambri Heyden, Planning Manager, announced that the American Planning Association (APA) will hold its annual 2003 state conference in Santa Barbara from September 28, 2003 through October 1, 2003 and those Commissioners interested in attending should contact Veronica Rodriguez by July 15, 2003. Ms. Heyden noted that the Milpitas Midtown Plan won a first place award with the APA Northern Chapter and winners automatically are entered into the state competition. The winner of the state competition will be announced at the conference. Also, members of EDAW and the City have submitted a proposal to present a panel discussion of the Midtown Plan at the conference, and James Lindsay will be on the panel.

Ms. Heyden noted that the Commissioners received inserts for their Municipal Code books that include the updated zoning code amendments from last September 2002. She also noted that the Commissioners can bring their books to the next meeting and Veronica Rodriguez will insert the new material for them.

Chair Hay noted his excitement that the 1st place award for the Midtown Plan has automatically gone to the state level and also mentioned how he and Commissioner Williams accepted the award and presented it to the Council on May 20, 2003.

Commissioner Sandhu announced that he was elected Vice Chair for the Santa Clara County Parks and Recreation Commission on June 4, 2003. Chair Hay congratulated Commissioner Sandhu.

Vice Chair Lalwani announced that the Downtown Association is having a street fair meeting June 12, 2003 at 6 p.m. at 529 South Main Street for the 4th of July street fair and all are welcome to participate.

Commissioner Giordano thanked Don Peoples, Acting President of the Milpitas Downtown Association, for the exciting meetings that have been taking place. Commissioner Giordano attended one of the meetings and there were 40 people in attendance. She thanked the association for being a viable part of the development of downtown. She also mentioned that she attended the Filipino Fiesta and thanked the Filipino Association for a wonderful evening of dancing and festivities.

Chair Hay attended the Filipino Fiesta and said that he enjoyed himself and that it was a wonderful celebration.

**VI.
APPROVAL OF
AGENDA**

Chair Hay called for approval of the agenda.

There were no changes by staff.

Motion to approve the agenda.

M/S: Sandhu/Lalwani

AYES: 6

NOES: 0

**VII.
CONSENT CALENDAR
Item Nos. 1, 2, 3, 4, 5, 6, 7
and 8.**

Chair Hay asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

Commissioner Williams requested that Item No. 8 be added to the consent calendar and there were no objections by the Commission.

Chair Hay opened the public hearing on Consent Item Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

There were no speakers from the audience.

**Close Public Hearing
Item Nos. 1, 2, 3, 4, 5, 6 and
8. Item No. 7 to be
continued to the June 25,
2003 meeting.**

Motion to close the public hearing on Consent Item Nos. 1, 2, 3, 4, 5, 6 and 8 and continue Item No. 7 to the June 25, 2003 meeting.

M/S: Lalwani/Giordano

AYES: 6

NOES: 0

Motion to approve the consent calendar on Consent Item Nos. 1, 2, 3, 4, 5, 6, 7 and 8.

***1 USE PERMIT NO. P-UP2003-18:** A request to operate a grocery store (Manila Oriental Foods) in an existing 1,380 square foot retail space in Calaveras Plaza at 179 West Calaveras Boulevard, zoned C2 – General Commercial district (APN 022-25-048). Applicant: Lucita Finuliar. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2333). (*Recommendation: Approval with conditions*)

- *2 USE PERMIT AMENDMENT NO. P-UA2003-7 and S-ZONE AMENDMENT (P-SA2003-23):** A request to add 1,700 square feet and 84 seats (72 in the dining area and 12 in the waiting area) to the existing King Crab restaurant at Calaveras Plaza without adding the 25 parking spaces required for the building expansion at 269 West Calaveras Boulevard, zoned C2 - General Commercial district (APN 022-25-041). Applicant: Peter Chan. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2322). *(Recommendation: Approval with conditions)*

- *3 USE PERMIT AMENDMENT NO. P-UA2002-8:** *(Continued from May 28, 2003 meeting)* A request to add 17 seats (12 to the dining room and 5 in the waiting area) and beer and wine sales at an existing restaurant (Tofu House) without adding the six (6) parking spaces required for the expansion at 231 Calaveras Boulevard, zoned C2 - General Commercial district (APN 022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2245). *(Recommendation: Approval with conditions)*

- *4 USE PERMIT NO. P-UP2003-12 AND 'S' ZONE AMENDMENT NO. P-SA2003-44:** A request to operate a 1,792 square foot fast food restaurant with 22 seats in an existing tenant space and install a new exterior door at Ulfert's Center at 678 Barber Lane, zoned C2 - General Commercial (APN: 088-01-035). Applicant: Eric Au. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2325) *(Recommendation: Approval with conditions)*

- *5 USE PERMIT NO. P-UP2003-10 AND 'S' ZONE AMENDMENT NO. P-SA2003-43:** A request to operate a 1,200 square foot restaurant with 18 seats in an existing tenant space and install a new exterior door at Ulfert's Center at 680 Barber Lane, zoned C2 - General Commercial (APN: 088-01-035). Applicant: Eric Au. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2323) *(Recommendation: Approval with conditions)*

- *6 USE PERMIT NO. P-UP2003-11 AND 'S' ZONE AMENDMENT NO. P-SA2003-64:** A request to operate a 1,200 square foot fast food restaurant with 12 seats in an existing tenant space and enlarge the existing trash enclosure at Ulfert's Center at 660 Barber Lane, zoned C2 - General Commercial (APN: 088-01-035). Applicant: Eric Au. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2324) *(Recommendation: Approval with conditions)*

- *7 VARIANCE NO. P-VA2003-2 AND 'S' ZONE AMENDMENT NO. P-SA2003-61:** A request to exceed the maximum allowed impervious surface coverage in order to accommodate wood decking and other back yard amenities for the single family hillside residence located at 510 Vista Spring Court (APN 042-30-017). Applicant: Franklin and Celina Camillo. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: Continue to June 25, 2003 meeting)*

***8 ZONING ORDINANCE TEXT AMENDMENT (P-ZT2003-2) AND ENVIRONMENTAL IMPACT ASSESSMENT NO. P-EA2003-6:** Proposed Ordinance No. 38.762, an amendment to the zoning ordinance to clarify with which principal uses accessory massage services are allowed in the city, and a related draft negative declaration. Applicant: City of Milpitas. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Recommend to Council approval of the Negative Declaration (EIA No. P-EA2003-6) and adoption of Ordinance No. 38.762 to amend the Zoning Ordinance (P-ZT2003-2) for accessory massage uses)*

M/S: Giordano/Lalwani

AYES: 6

NOES: 0

**VIII.
ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:11 p.m. to the next regular meeting of June 25, 2003.

Respectfully Submitted,

Tambri Heyden
Planning Commission
Secretary

Veronica Rodriguez
Recording Secretary